IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1092 OF 2006

IN

APPEAL FROM ORDER St.NO.27750 of 2006

Municipal Corp.of Gr.Bombay .. Applicant

versus

Smt.Cynthia Sevic Pereira .. Respondent

...

Mrs.Geeta Jogalekar for the BMC.

Mr.Madhav Jamdar for the respondent.

CORAM : D.G. KARNIK, J

DATED : 27th November 2006

P.C.:

1. Heard learned counsel for the applicant.

2. This application is taken for condonation of a delay. The reason given for condonation of the delay in paragraph no.4 of the application is as follows:

"The applicant submits that there is a delay in making an application for certified copy but that is not intentional and the same remained to be made inadvertently without any malafide intention".

3. Thus there is no reason given for delay in applying the certified copy except by saying that it was unintentional and it was on account of inadvertence. The person who allegedly was inadvertent has not filed any affidavit. In the circumstances, applicant is directed to file the affidavit of the person who inadvertently caused the delay in applying the certified copy. Affidavit shall be filed within two weeks failing which the application shall stand dismissed without further reference to the Court.

(D.G. KARNIK, J)